

# **EXHIBIT H**

Disciplinary#  
3564

SCI Sussex Correctional Institution

Date: 07/07/2004

PO Box 500

GEORGETOWN DE, 19947

Phone No. 302-856-5280

## DISCIPLINARY REPORT

423

Disciplinary Type/Class	Housing Unit	Inst. Name	Location of Incident	Date	Time
SBT					
00313356	Jones, Robbie D	SCI	Other	07/06/2004	20:35

Violations: 1.06/200.203 Disorderly or Threatening Behavior, 4.17/200.215 Inciting a Riot

Witnesses: 1. Biles, Barry 2. N/A 3. N/A

Description of Alleged Violation(s)

On The Above Date And Time, Sgt. Biles Observed I/M Jones Hollering At C/O D. West And C/O C. West In The Gym Yard. When Sgt. Biles Told I/M Jones To Move On, He Began To Encourage The Other Inmates In The Yard To Join In. It Wasn't Until Sgt. Biles Began To Approach The Area That I/M Jones Moved. When Sgt. Biles Called For I/M Jones Back Inside The Building To Come Into The Office, I/M Jones Came Down The Steps Shouting "What The Fuck Is This About?" "I Didn't Say Shit." Sgt. Biles Then Told I/M Jones To Sit Down And Be Quiet. I/M Jones Then Stepped Up To Sgt. Biles In A Very Threatening Manner, Raised Both Hands And Said "You Can't Make Me Sit The Fuck Down, What The Fuck Is Next." Sgt. Biles Then Physically Restrained I/M Jones Hancuffe Him And Escorted Him To Asda.

Reporting Officer: Biles, Barry T (CO Corporal/Sgt. - Large Inst.)

Immediate Action Taken

Immediate action taken by: Biles, Barry T - CO Corporal/Sgt. - Large Inst.

Reports Submitted.

Offender Disposition Details

Disposition: N/A Date: N/A Time: N/A Cell secured? No

Reason: N/A

Disposition Of Evidence: N/A

Approval Information

Approved: ☒ Disapproved: ☐ Approved By: Wilkinson, David W (Shift Commander - Large Inst.)

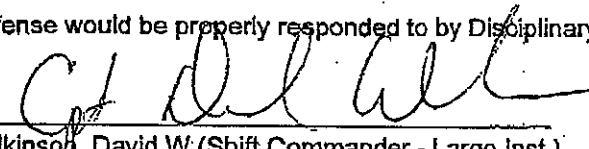
Comments: Discp. Lt. D. West

Shift Supervisor Details

Date Received: Time: Received From: \_

Shift Supervisor Determination:

- ☐ Upon reviewing this Disciplinary Report, I conclude that the offense may be properly responded to by an immediate revocation of the following privileges(see reverse side) for \_\_\_\_\_ hours not to exceed 24 hours)
- ☒ Upon reviewing this Disciplinary Report, I conclude that the offense would be properly responded to by Disciplinary Hearing

  
 Wilkinson, David W (Shift Commander - Large Inst.)

I have received a copy of this notice on DATE: 7/11/04 TIME: 18<sup>00</sup> and have been informed of my rights to have a hearing and to present evidence on my own behalf. I understand, if found guilty, I will be subject to imposition of sanctions outlined in the Rules of conduct.

Preliminary Hearing  
Officer:

LT D.E.W.

Offender:

  
 Jones, Robbie D

036

Appeal: You have the right to appeal the decision of the Class II Hearing Officer to the Class I Hearing Officer. At the Disciplinary Hearing you will be provided with an appeal form. Execution of any sanctions imposed by the Hearing Officer UNLESS YOU INDICATE ON THE APPEAL FORM THAT YOU DO NOT INTEND TO APPEAL.

DR#  
3564

SCI Sussex Correctional Institution  
PO Box 500  
GEORGETOWN DE, 19947  
Phone No. 302-856-5280

Date: 07/15/2004

### DISCIPLINARY HEARING DECISION

Inmate: <u>Jones, Robbie D</u>	SB# <u>00312426</u>	Type <u>Class II</u>
Institution <u>SCI Sussex Correctional Institution</u>	Hearing Date <u>07/13/2004</u>	Time <u>11:00</u>

Inmate Present: Yes Reason(If No): N/A

Violation: 1.06/200.203 Disorderly or Threatening Behavior, 1.17/200.215 Inciting a Riot

Inmate PLEA: Not Guilty

Inmate Statement: I was yelling at her and her son, but I didn't threaten anyone.

Witness Name: Biles, Barry

Testimony : N/A

Decision : Guilty

Rational : based on the officers report he is guilty of 1.06 and not guilty of 1.17

Sanctions: N/A

HEARING OFFICER'S SIGNATURE

Hennessey, Melvin C

I understand that I may appeal the decision of a Class II Hearing to the Class I Hearing Officer. I may appeal the decision of a Class I Hearing to the facility administrator. I also understand that I have 72 hours to submit my notice of appeal in writing to the Class I Hearing Officer if I am appealing a Class II Hearing decision or the Warden if I am appealing a Class I Hearing decision.

I ☒ DO ☐ DO NOT INTEND TO APPEAL

INMATE'S SIGNATURE

### ORDER TO IMPLEMENT SANCTIONS

☐ Inmate does not wish to appeal

☒ Appeal has been denied by Commissioner or Designa

☐ Sanctions have been modifie

☐ Time Limit(72 Hours since hearing) for appeal has expir

It is here by ordered to implement the sanctions:

Sanctions	Start Date	Days	End Date
1. Loss of All Privileges	07/16/2004	15	07/31/2004

STATE OF DELAWARE  
DEPARTMENT OF CORRECTION

CLASS I ☒ CLASS II

DISCIPLINARY HEARING DECISION

DR#: 2004 423

INMATE NAME: Robbie Jones INST#: 313.356 HEARING DATE: 7-13-07

TIME: INMATE PRESENT: ☒ YES ( ) NO REASON:

WITNESSES PRESENT: 1. 2. 3.

VIOLATION: 1.06

PLEA: ( ) GUILTY ☒ NOT GUILTY ( ) OTHER:

INMATE STATEMENT:

WITNESS STATEMENT:

DECISION: ☒ GUILTY ( ) NOT GUILTY RATIONALE: Based on the officers report

SANCTION: 15 days LOP

*St. Martin Thomas*  
HEARING OFFICER'S SIGNATURE

I understand that I may appeal the decision of a Class II Hearing to the Class I Hearing Officer. I may appeal the decision of a Class I Hearing to the facility administrator. I also understand that I have 72 hours to submit my notice of appeal in writing to the Class I Hearing Officer if I am appealing a Class II Hearing decision or the Warden if I am appealing a Class II Hearing decision.

I ☒ DO ☒ DO NOT INTEND TO APPEAL.

*Robbie Jones*  
INMATE'S SIGNATURE

ORDER TO IMPLEMENT SANCTIONS

- ( ) Inmate does not wish to appeal.  
( ) Time limit for appeal has expired.  
( ) Appeal has been denied.  
( ) Sanctions have been modified on appeal to:

It is hereby ordered to implement the sanctions or modified sanctions on:  
DATE: and TIME:

FORM #: 118 (SCI)

RECORD OF DISCIPLINARY HEARING

SHORT FORM

ASDA

Number	Commitment Name	Institution	Case Number
313356	Robbie Jones		2009423
			Date of Hearing
			7-12-04
			Time of Hearing

1. Hearing Officer's Decision:

☒ Guilty    ☐ Not Guilty    ☐ Probation    ☐ Further Investigation Needed

2. Sanction Imposed: 15 DAYS HOAP

3. Stay of Sanction:

☒ Execution will be stayed.  
Reason:

appeal

☒ Execution will not be stayed.  
Reason:

I verify receiving a copy of sanction this date:

Robbie Jones  
Inmate Signature and Date

7/13/04

Sgt. Michael K...  
Signature of Hearing Officer



STATE OF DELAWARE  
DEPARTMENT OF CORRECTION

CLASS I X CLASS II

APPEAL NOTICE

DR#:

INMATE NAME: ROBERT DEVAUGHN JONES INST#: DUSSEX CORA DATE: JULY 13<sup>th</sup> 2004  
HEARING DATE: JULY 13<sup>th</sup> 2004 VIOLATION: THREATENING BEHAVIOR / KICKING A PRISONER  
HEARING DECISION: GUILTY OF THREATENING BEHAVIOR (DROPPED); KICKING A PRISONER  
SANCTION: 15 DAYS LOSS OF ALL PRIVILEGES

I understand I have 72 hours in which to file a written notice of appeal to the Class I Hearing Officer in the case of an appeal from a Class II Hearing decision or to the Warden in the case of an appeal from a Class I Hearing decision.

APPEAL: I'VE PROVIDED A LIST OF WITNESSES, INCLUDING THREE (3) OFFICERS WHO NEED TO BE INTERVIEWED BEFORE ANY VERDICT COULD BE REACHED. I BELIEVE I HAVE ENOUGH EVIDENCE TO BE FOUND NOT GUILTY AND BRING (CIVIL/CRIMINAL) CHARGES AGAINST OFFICER (SGT. BILES) IN QUESTION. IT RESOLVED IN MY FAVOR I'D LIKE TO EITHER TRANSFER TO MHCJF OR BACK TO D-TEER BUNK #3

1) C/O T. BARKS	13) TYRONE HAZZARD	23) ROBERT BROPHY	33) GEORGE JOHNSON
2) C/O D. SEYMOUR	14) MICHAEL LAMBERT	24) WAYNE BENDEL	34) STEPHON DESHBELS
3) C/O W. JACKSON	15) CHAS BOOTH	25) MIKE MCGEE	35) JERMAINE MEUS
4) DAMON BRETTFINGHAM	16) TRACY SHERWOOD	26) ROBERT JOHNSON	36) ADAM BRACE
5) AL-SHARIEF HARRIS	17) DONALD CONNELLY	27) DONALD TORRES	37) BEN STURGES
6) BERNARD REYES	18) ROSE BARLOW	28) WILLIAM WALTHAM	38) LINDA PARKER
7) AARON BELL	19) TERELLE BILLE	29) JOE BENNETT	39) ANY I/M
8) JOSEPH VINCENT	20) ROLANDO RUIZ	30) RESKY HECKMAN	PRESENT AT GYM
9) DONALD PAULS	21) TIM HALLON	31) SAM JONES	OR ON C AND D
10) LATUAN DRAVTON	22) ED DEBBELLE	32) DAVID SLAUGHTER	TIERS AS OF
11) RANDOLPH GRAYMAN	23) GARY JOHNSON	33) FRANK BOY	7-6-04

Robert Devaughn Jones  
INMATE'S SIGNATURE

APPEAL DECISION:

DR#  
3564

SCI Sussex Correctional Institution  
PO Box 500  
GEORGETOWN DE, 19947  
Phone No. 302-856-5280

Date: 08/03/2007

Inmate: Jones, Robbi D SB# 0033356 Type Class 1  
Institution: SCI Sussex Correctional Institution Hearing Date: 07/19/2007 Time:

## MEMORANDUM

To : Jones, Robbi D

From : Warden

RE : APPEAL DECISION

### 1. Loss of All Privileges

Your appeal ☐ Accepted ☒ Denied  
The decision of hearing ☒ Affirmed ☐ Reversed ☐ Remanded for further proceedings  
The sanction imposed by hearing officer will ☒ Remain as imposed by the Hearing Officer ☐ Reduced

The basis of this decision is as follows :

I concur with the hearing officer, the sanction is appropriate.

This report has been reviewed by Deloy, Michael E

Date Reviewed